

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION No.: 5:11CV51-RLV**

INTERSTATE EQUIPMENT COMPANY,)
Plaintiff,)
v.)
ESCO CORPORATION,)
Defendant.)
_____)

**Order Adopting Proposed
Repurchase Deadlines**

THIS MATTER is before the Court following the issuance of Findings of Fact and Conclusions of Law on July 14, 2014. (Doc. 78). In consideration of the recent submissions of IEC, the undersigned is satisfied that Mr. Eller is both competent and able to take the steps necessary to release his security interest in the IEC inventory such that ESCO should be required to proceed with its statutory repurchase obligations pursuant to N.C. GEN. STAT. § 66-180, *et seq.*

IT IS THEREFORE ORDERED THAT:

- 1) The Court adopts the parties' Joint Submission of Proposed Schedule, filed August 19, 2014 (Doc. 90) and hereby incorporates the deadlines contained therein;
- 2) Physical inspection and count of ESCO inventory at IEC shall be completed **by September 20, 2014;**
- 3) The results of said physical inventory and refurbishment costs shall be provided to IEC **by October 24, 2014;**
- 4) A proposed accounting shall be provided by ESCO to IEC **by November 7, 2014;**
- 5) The parties shall confer regarding ESCO's proposed accounting by **November 25, 2014;** and
- 6) A proposed accounting shall be submitted to the Court by **December 1, 2014.**

Signed: September 8, 2014



Richard L. Voorhees
United States District Judge

